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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GARY MILLER, an individual,
Plaintiff,
vs.

Case. No.: 2:19-cv-00601-JAD-DJA

NYE COUNTY, Nevada, a political subdivision
of the State of Nevada and doing business as the
Nye County Sheriff's Office and Nye County
Animal Control; and DEPUTY JOHN TOLLE,
individually and in his official capacity as a Nye
County Police Officer;
Defendants.

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR
PLAINTIFF TO FILE RESPONSE
TO DEFENDANTS' PARTIAL
MOTION TO DISMISS
PLAINTIFF'S SECOND
AMENDED COMPLAINT**

(Second Request) ECF No. 39

Plaintiff GARY MILLER, and Defendants NYE COUNTY, and DEPUTY JOHN
TOLLE, by and through their respective counsel of record, hereby stipulate to the following:

1. The Parties hereby agree and stipulate to that Plaintiff GARY MILLER
shall have an additional two (2) days to file his Response to Defendants' Partial Motion to
Dismiss Second Amended Complaint (ECF No. 36) filed on November 6, 2020.

2. The current Response deadline is November 30, 2020 (*see* ECF No. 38) and the requested extension would make the new deadline be December 2, 2020.

3. Lead counsel for Plaintiff has conflicting deadlines, such as Replies in support of Motion for Temporary Restraining Order and/or Preliminary Injunction in *Downes-Covington v. Las Vegas Metropolitan Police Department*, Case No. 2:20-cv-01790-GMN-DJA, due on November 30, 2020. This briefing scheduled was just ordered on November 19, 2020 (*see* Case No. 2:20-cv-01790-GMN-DJA, ECF No. 22), which counsel for Plaintiff learned of after the first request for an extension was submitted. (ECF No. 37.)

4. Counsel for Plaintiff also has a Reply in support of second supplemental opening brief in *Las Vegas Review-Journal, Inc. v. Las Vegas Metropolitan Police Department*, Case No. A-20-809924-W, due on November 30, 2020 and an Opposition to Motion for Stay on an Order Shortening Time in *Las Vegas Review-Journal v. Clark County Coroner's Office*, Case No. A-17-758501-W, also due on November 30, 2020. Both of these deadlines only arose recently, shortly before the Thanksgiving holiday and after the prior request was submitted.¹

5. Counsel for Plaintiff also has eight status reports due on November 30, 2020 in *In Re: HCV Prison Litigation*, Case No. 3:19-cv-00577-MMD-CLB.

6. The Parties will be participating in a Fed. R. Civ. P. 30(b)(6) deposition in this matter on December 1, 2020.

7. This is the second stipulation for an extension of time in this matter and the requested additional time to is ensure proper representation of client's interests and quality briefing.

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¹ While the attorneys worked over the holidays and holiday weekend, McLetchie Law was closed on Thursday and Friday of last week.

8. This request is made in good faith and is not sought any improper purpose or for the purpose of delay.

IT IS SO STIPULATED.

DATED this the 30th day of November, 2020. DATED this the 30th day of November, 2020.

McLETCHE LAW

MARQUIS AURBACH COFFING

/s/ Margaret A. McLetchie

/s/ James A. Beckstrom

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Attorneys for Plaintiff Gary Miller

ORDER

IT IS SO ORDERED.



U.S. District Judge Jennifer A. Dorsey

Dated: November 30, 2020